IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3458 OF 2006
IN
APPEAL (LODG) NO. 820 OF 2006
IN
MISC. PETITION NO. 54 OF 2002
IN
TESTAMENTARY PETITION NO. 407 OF 1998

1. Smt.Sukhrajidevi D. Gangadin Yadav (since deceased) & 4 ors.] .. Appellants (Ori.Petnrs.)

Versus

Shri Housilaprasad J. Yadav] .. Respondent (Ori.Respondent)

Mr. V. Ramakrishnan with Ms. Sunita Kalwar for the appellants.

Mr. E.K. Sasidharan for the respondent.

CORAM: R.M. LODHA, &
J.H. BHATIA, JJ.

DATED: 10TH NOVEMBER, 2006

P.C. :

. We heard the counsel for the parties.

2. The Appeal suffers from delay of 39 days. It appears that the delay occurred due to illness of the appellants' Advocate. We are, thus, satisfied that the appellants were prevented by sufficient cause in filing the Appeal in time.

3. We, accordingly, condone the delay in filing the Appeal.

4. Office is directed to process the Appeal and post it for admission.

. Notice of Motion stands disposed of.

Sd/-
[R.M. LODHA, J.]

Sd/-
[J.H. BHATIA, J.]